

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled COMBINATION ON-LINE SWEEPSTAKES AND SALES SYSTEM, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | Priority claimed | |
|---|------------------|-----------|
| <u>NONE</u> | <u>Yes</u> | <u>No</u> |
| (Number) (Country) (Day/Month/Year filed) | | |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|---------------------|----------------|--------------------------------|
| <u>60/145,910</u> | <u>7/27/99</u> | <u>Pending</u> |
| (Appln. Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint David W. Nagle, Jr., Reg. No. 42,923; Vance A. Smith, Reg. No. 24,320; and Joan L. Simunic, Reg. No. 43,125, my attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I request that all communications concerning this application be addressed to David W. Nagle, Jr., **Stites & Harbison, PLLC**, 400 W. Market Street, Suite 1800, Louisville, Kentucky 40202-3352, telephone (502) 587-3400.

Full name of inventor Frederick L. Merritt

Inventor's signature *Frederick L. Merritt Jr.* Date: 26 July 00

Residence 291 N. Hubbards Lane PMB 117, Louisville, Kentucky 40207

Citizenship U.S.A.

Post Office Address same as residence

0092270-09952960

Note: This Declaration and Power of Attorney may be executed only when attached to the specification (including claims) as the last page thereof.

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled COMBINATION ON-LINE SWEEPSTAKES AND SALES SYSTEM described in

- ☒ the specification filed herewith
☐ application serial no. _____ filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization
☐ persons, concerns or organizations listed below

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL
☐ SMALL BUSINESS CONCERN
☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which a verified statement is directed.

Frederick L. Merritt JR
Printed Name

Frederick L. Merritt Jr.
Signature of Inventor

26 July 00
Date

09625660-072600